

House Bill 1201

By: Representatives Hill of the 180th, Keen of the 179th, Lindsey of the 54th, Lane of the 167th,
and Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to change the definition of the offense of rape to include both genders; to change the definition of the offense of aggravated sodomy; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, is amended by revising subsection (a) of Code Section 16-6-1, relating to rape, as follows:

"(a) A person commits the offense of rape when he or she has carnal knowledge of:

(1) A ~~female~~ person forcibly and against his or her will; or

(2) A ~~female~~ person who is less than ten years of age.

Carnal knowledge in rape occurs when there is any penetration of the ~~female sex organ~~ vagina or anus by the male sex organ. The fact that the person allegedly raped is the ~~wife~~ spouse of the defendant shall not be a defense to a charge of rape."

SECTION 2.

Said chapter is further amended by revising subsection (a) of Code Section 16-6-2, relating to sodomy, aggravated sodomy, and medical expenses, as follows:

"(a)(1) A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another.

(2) A person commits the offense of aggravated sodomy when he or she ~~commits sodomy~~ performs any sexual act involving the sex organs of one person and the anus of another with force and against the will of the other person or when he or she ~~commits sodomy~~ performs such act with a person who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy."

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SECTION 3.

27 All laws and parts of laws in conflict with this Act are repealed.